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CBS Producer Says General Played 'Shell Game'

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George Crile, the producer of a disputed CBS documentary on the Vietnam War, yesterday described the calculation of enemy strength by Gen. William C. Westmoreland's command in 1967 as "akin to an intelligence atrocity."

Mr. Crile — testifying for the seventh day at General Westmoreland's \$120 million libel suit against the network in Federal Court in Manhattan — said the general's command had engaged in a "shell game" in its estimates of North Vietnamese and Vietcong troop strength in the months preceding the Communists Tet offensive of January 1968. He said the command's low figures for the enemy misled American leaders and deprived them of the ability to reassess policies at a "critical juncture" of the war.

His eyes fixed on the jury, his hands cupped and flapping in supporting gestures, the 39-year old producer spent the afternoon being cross-examined by David Boies, the lawyer for CBS. Mr. Crile had been called as a "hostile witness" by Dan M. Burt, General Westmoreland's lawyer, who completed his questioning of the witness at 11:30 A.M.

Using an August 1967 cable from General Westmoreland's headquarters to high-ranking military and civilian officials, Mr. Burt attempted to show that Washington had not been kept in the dark about Saigon's decision to delete the Vietcong's self-defense forces from the official listing of enemy strength known as the order of battle.

Cable Widely Distributed

Mr. Crile conceded that the cable had been widely distributed, even perhaps to the White House, but insisted that it incorporated "fake and dishonest intelligence."

Under cross-examination Mr. Crile was adamant that military leaders had provided a "distorted picture", of a "degraded" enemy who soon showed his real capabilities during the Tet offensive.

The offensive might not have been a military victory for the North Vietnamese and Vietcong forces, Mr. Crile said, but it dealt a "devastating psychological" blow to the "aura of optimism" fostered by the Administration of President Johnson.

Many of Mr. Crile's replies to Mr. Boies — including an eight-minute answer that was the longest given in the 11-week old trial — amounted to small lectures on the history and importance of wartime intelligence and on the integrity of the documentary he produced in 1982.

Mr. Burt had accused Mr. Crile of fabricating parts of that program, "The Uncounted Enemy: A Vietnam Deception," and, yesterday, Mr. Boies picked up that line of questioning.

Q. Did you make up anything in connection with the broadcast?

A. Absolutely not.

General Westmoreland, now 70 years old and retired, commanded United States forces in Vietnam from January 1964 to June 1968.

In his suit, the general contends that CBS defamed him by saying he had deceived President Johnson and the Joint Chiefs of Staff about the true size and nature of the enemy in late 1967.

The broadcast alleged a "conspiracy" by General Westmoreland's command to minimize the strength of the enemy to make it appear that America and its allies were winning "a war of attrition." It said that, for political and public relations reasons, General Westmoreland had imposed an "arbitrary ceiling" of 300,000 on reports of enemy strength — partly by dropping the part-time, hamlet-based, self-defense forces from the order of battle.

The estimated strength of those units, previously figured at 70,000, was revised to 117,000 in May 1967, when General Westmoreland decided to delete the category from the order of battle. Some military intelligence officers also argued that other categories of enemy forces, including Vietcong guerrillas and political cadre, had also been underestimated.

At this trial, General Westmoreland testified that he ordered the self-defense forces removed from the order of battle — and the political cadre listed separately — because he did not believe these forces were a significant military threat and because their inclusion would mislead the press and officials in Washington into thinking the size of the enemy's "real fighters" had risen substantially.

Besides CBS, the defendants in the case are Mr. Crile, Mike Wallace, the 66-year old narrator of the broadcast, and Samuel A. Adams, a 51-year old former Central Intelligence Agency analyst who served as a paid consultant for the documentary.

Mr. Adams, who sits at the defense table making copious notes, was a C.I.A. specialist on Vietnam in 1967, when the agency clashed with General Westmoreland's command over the estimates of enemy strength in South Vietnam. Mr. Adams, who once described himself to Mr. Crile as "a galloping Paul Revere," had argued for a total estimate of about 500,000 — nearly twice the figure the military command

was willing to accept as valid.

In 1975, two years after he resigned from the C.I.A., Mr. Adams wrote an article about the dispute in Harper's magazine, containing many of the charges that would be aired in the CBS documentary. The article was edited by Mr. Crile, who then worked for the magazine, and it prompted an investigation by the House Select Committee on Intelligence.

The committee, before which Mr. Adams testified, concluded that "the numbers game not only diverted a direct confrontation with the realities of the war in Vietnam, but also prevented the intelligence community, perhaps the President, and certainly members of Congress, from judging the real changes in Vietnam over time."

Yesterday, Mr. Boies questioned Mr. Crile about the committee's report. Judge Pierre N. Leval cautioned the jury that it could not consider the "truth" of the report's findings, but only whether Mr. Crile had relied upon them in preparing the documentary.

The only relevance of the report, the judge said, was its influence on Mr. Crile's "state of mind" in 1981.

Mr. Crile called the committee's report "the foundation stone, or certainly the jumping off point for our investigation" and said it completely undermined the "light at the end of the tunnel" or "end has come into sight" intelligence reporting of General Westmoreland's command in 1967.

The producer said that if the command had been correct in its low estimates of enemy troop strength and the number of enemy troops killed during the Tet offensive, "we had not only won the war but killed more of the enemy than existed."

Mr. Crile said he agreed with the conclusion in a West Point textbook — shown to him by Mr. Boies — that the Tet offensive was "an allied intelligence failure ranking with Pearl Harbor in 1941."

The producer said his own research, and that of the House committee, clearly established that the self-defense forces and other categories General Westmoreland did not consider "real fighters" were, in fact, responsible for many casualties in Vietnam.

In intelligence reporting, the Mr. Crile said, "You begin from the foundation and work up" to arrive at a total of enemy strength. "What you never do, and which there is never any justification for," he said, "is to begin with the total and work down to make the evidence conform."